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Reply to Final Office Action of February 7, 2005

REMARKS

Claims 1, 3, 5, 7 to 10, 13, and 15 to 24 were pending in the application at the time of final examination. Claims 3, 13, and 20 stand rejected under 35 U.S.C. §112, second paragraph. Claims 1, 3, 5, 8 to 10, 13, 15, 16, 18 to 21, and 24 stand rejected as anticipated. Claims 7, 17, 22 and 23 stand rejected as obvious.

Claims 3, 13, and 21 have been amended to correct antecedent basis informalities. In each instant, a phase is amended for consistency with an earlier recited phrase. Since these amendments address informalities, the amendments do not affect the patentability of the claims, and do not require consideration of new issues or a new search. According, Applicants respectfully request entry of the amendments to place the case in condition of allowance.

Claim 10 is amended to correct a grammatical informality. Since this amendment address an informality, the amendment does not affect the patentability of the claim, and does not require consideration of new issues or a new search. According, Applicants respectfully request entry of the amendment to place the case in condition of allowance.

Claims 3, 13, and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner stated:

> The claims generally recite two data formats including a second format and a third format. These are overlapping ranges and as such, render the claim indefinite. For examining purposes only, second and third will be interpreted as first and second.

Applicants respectfully traverse the § 112, second paragraph rejection of Claim 3. First, differentiating between different formats by numbering the formats has nothing to do

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with ranges. The second and third do not recite a range but rather are used to distinguish between two different data formats. Second, Claim 3 recites:

> determining data formats supported by said device wherein said data formats includes at least **two data formats including at least a second data format and a third data format**;
>
> . . . .
>
> building a filter using said rule set . . . wherein said filter converts said source data from a **first data format** to **said second data format**(Emphasis Added).

Thus, Claim 3 properly distinguishes between three different data formats and the suggested interpretation in the §112 rejection defines two "first data formats," which would remove the clarity of the claim and introduce ambiguity. Applicants respectfully request reconsideration and withdrawal of the §112, second paragraph rejection of Claim 3.

With respect to the §112, second paragraph rejection of Claim 13, Claim 13 recites:

> receiving a request for data having a **first format** from a process requiring data in one of at least two data formats including at least a **second format** and a **third format**; (Emphasis Added.)

Again, Claim 13 properly distinguishes between three data formats and the suggested interpretation in the §112 rejection defines two "first data formats." Applicants respectfully request reconsideration and withdrawal of the §112, second paragraph rejection of Claim 13.

With respect to the § 112, second paragraph rejection of Claim 20, Claim 20 does not contain the rejected language. Thus, Applicants have interpreted the rejection as being directed to Claim 21. The above comments with respect to Claim 3 are directly applicable to Claim 21 and are incorporated herein by reference. Applicants respectfully request

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reconsideration and withdrawal of the §112, second paragraph rejection of Claim 21.

Claims 1, 3, 5, 8 to 10, 13, 15, 16, 18 to 21, and 24 remain rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,012,098, hereinafter referred to a Bayeh.

Applicants respectfully traverse the anticipation rejection of Claim 1.

With respect to the anticipation rejection of Claim 1, the Examiner stated in part:

> Bayeh teaches a partial filter library as part of the server (col. 7, ll 36 to 38).

This statement demonstrates that explicit claim limitations have not been properly considered. Claim 1 does not recite a library, but instead recites

> retrieving, from a filter registry in response to said request, . . .

Thus, Claim 1 recites "a filter registry" and not the library that was rejected. Further, Col. 7, lines 36 to 38 of Bayeh taught:

> The servers pertinent to the present invention have one or more "servlets" 84 running on the server machine.

The cited portion of Bayeh does not mention or teach anything concerning a library. Thus, the rejection has mischaracterized both the teaching of the reference and the recitation in Claim 1. Also, the servlets are described as "running on the server machine," which teaches away from any need for retrieving as recited in the quoted portion of Claim 1. Any one of these distinctions is sufficient to overcome the anticipation rejection because they demonstrate that the rejection fails to cite every element of the claim. (See the quote from the MPEP presented below.)

The rejection further stated in part:

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Bayeh teaches the filter is a chain of partial filters, each of which as [Sic] a generic format independent interface that passes data from one to another (col. 9, ll. 30-46).

Bayeh, at Col. 9, lines 30 to 46 taught:

The technique of sending a data stream from one servlet to another servlet is implemented in the preferred embodiment using "servlet chaining". Servlet chaining is a technique which is known in the art, enabling the output of one servlet to be the input to a next logical servlet. A servlet chain may consist of m servlets, where servlet 1 receives the client request, the output of each intermediate servlet n (where n<m) is the input to servlet (n+1), and the output of servlet m is sent to the client as the final result of the server's processing of the client request. When a servlet chain is to be used for processing a client request, there are two ways currently known in the art to trigger the chained processing: (1) "servlet aliasing" or (2) Mime types. Either technique can be used to implement the present invention. (Depending on the particular application of the present invention, one technique may perform better than the other. However, such optimization does not form a part of this invention.)

While this section describes servlet chaining to enable "the output of one servlet to be the input to a next logical servlet," the technique to do this is not described. In particular, there is no teaching of "a generic format independent interface" associated with each of the servlets in this section or for that matter any interface.

To support an anticipation rejection, the MPEP requires:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM

.... The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required.

MPEP § 2131, 8th Ed., Rev 2, page 2100-73 (May 2004).

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        Thus, the cited section of Bayeh fails to show the
indentical invention **in as complete** detail as is contained in
the claim because the cited section fails to teach "a generic
format independent interface". This is further evidence that
the anticipation rejection of Claim 1 is not well founded.
        Continuing with the rejection of Claim 1, the rejection
further stated:

        Bayeh teaches that subset of the data is processed
        (col. 12, ll. 7-12).

        Applicants respectfully submits that this is but further
evidence that the claims have been reduced to a "gist".
Claim 1 recites:

             receiving a request for data;
             . . .
             processing a subset of the source data by said filter
        to produce said data

        The claim does not recite that a subset of the requested
data is processed. Rather, the data processed is the requested
data, which in turn is a subset of the source data.   Bayeh
taught:

             . . . That is, as the parser processes portions of the
             input XML data stream, it creates the corresponding HTML
             data stream, then processes another portion of the input
             data stream, creates more of the output data stream, etc.,
             until the entire input data stream has been processed.
             (Emphasis added)

Thus, contrary to the selective dissection of the reference in
the rejection, Bayeh stated that "the entire input data stream"
was processed, e.g., the entire source data as represented by
the XML data stream. The rejection failed to cite any teaching
that only a part of the source data was processed and returned

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as the requested data. Again, the rejection and the cited
portion of the reference fail to show the identical invention
in as complete detail as is contained in the claim. While only
one difference is needed to overcome the anticipation rejection
of Claim 1, Applicant has demonstrated multiple distinctions in
Claim 1 over Bayeh. Applicants request reconsideration and
withdrawal of the anticipation rejection of Claim 1.

With respect to the anticipation rejection of Claim 3,
Applicants respectfully traverse the rejection. The rejection
stated in part:

> . . . Bayeh teaches supporting different formats and
> selecting the second format (col. 8, ll. 55-57). Bayeh
> teaches the filter converts source data from a first
> format to a second data format(Col. 4, ll. 37-42.)

In support of continuing the rejection in response to
agruments, the rejection stated:

> Bayeh teaches supporting different formats and selecting
> the second format (col. 8, ll. 55-57). Bayeh teaches the
> filter converts source data from a first format to a
> second data format(Col. 4, ll. 37-42.)

Hence, the information provided in support of continuing
the rejection provided no rationale and instead simply quoted
the rejection after incorrectly paraphrasing Applicants'
comments in the prior response.

Claim 3 recites in part:

> receiving a request for data from a device;
> determining data formats supported by said
> device wherein said data formats includes at least
> two data formats including at least a second data
> format and a third data format;
> selecting said second data format for a format
> of said data;

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The rejection simply does not even consider the determining operation and so has failed to establish a prima facie anticipation rejection. The rejection fails to even allege that Bayeh shows the identical invention **in as complete detail** as is contained in the claim.

The rejection, as quoted above, addresses at most a gist and fails to address the explicit claim limitations. The fact that different formats may or may not be supported fails to even acknowledge the three operations quoted above from Claim 3.

Moreover, the comments presented above for Claim 1 concerning the mischaracterization of the registry and the failure to cite any teaching of "a generic format independent interface" are applicable to the rejection of Claim 3 and are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 3.

Claim 5 depends from Claim 3 and so distinguishes over Bayeh for at least the same reasons as Claim 3. In addition, the cited section of Bayeh taught that multiple rendering servlets of the same type were available so that when one was busy, another could be used. The rejection at most addressed conversion time based upon examiner argument and so admitted that the reference failed to teach anything concerning "storage space" and "a quality," as recited in the claim. Again, the rejection fails to even allege that Bayeh shows the identical invention **in as complete detail** as is contained in the claim. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 5.

With respect to the anticipation rejection of Claim 8, the Examiner stated in part:

> . . . Bayeh teaches input to the filter is a XSL style-sheet that determines its functionality (col. 9, ll 4-6). As the filter is a servlet object, its input is passed through a parameter.

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In continuing the rejection of Claim 8, the Examiner
stated:

> The chain of filters is the general partial filter
> adapter as set forth in the claim language. As the
> rendering servlet is part of this chain, and though the
> XSL sheet goes directly to the rendering servlet, the XSL
> sheet is an input to the general partial filter as a
> whole.

Applicant respectfully traverses the anticipation rejection of
Claim 8. The comments from the prior response with respect to
Claim 8 are incorporated herein by reference. Applicant notes
that the terminology used in continuing the rejection is not
based upon any teaching from the reference. Moreover, the
statement mischaracterizes the claim language. Claim 8
recites:

> building a filter . . . said <u>filter comprises a chain</u>
> <u>of said plurality of partial filter adapters</u> . . . wherein
> **each partial filter adapter** in said plurality of partial
> filter adapters **comprises a general partial filter adapter**
> **having functionality determined by a parameter.** (Emphasis
> added.)

First, Claim 8 distinguishes between "a filter" and
partial filter adapters. The filter comprises a chain of the
plurality of partial filter adapters. The claim does not
recite that the filter is a general partial filter adapter as
asserted in the rejection. Rather, Claim 8 recites that each
partial filter adapter comprises a general partial filter
adapter. Therefore, based upon the claim language, the filter
comprises a chain of general partial filter adapters. Thus,
straightforward claim interpretation using only the language of
the claim shows that the rejection has considered something
other than the explicit claim limitations.

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The rejection failed to cite any teaching that **each** "partial filter adapter" comprised "a general filter adapter." The rejection itself establishes that the reference fails to teach the recited partial filter adapters because the rejection asserts that only one has the parameter and not that each of what was characterized as a partial filter adapter has the parameter. As previously pointed out the cited portion of the reference teaches "data servlets" and "rendering servlets" which are two different types of servlets. Thus, the rejection again mischaracterizes both the teachings of Bayeh and the claim language.

Moreover, the comments presented above for Claim 1 concerning the mischaracterization of the registry and the failure to cite any teaching of "a generic format independent interface" are applicable to the rejection of Claim 8 and are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 8.

Claim 9 depends from Claim 8 and so distinguishes over Bayeh for at least the same reasons as Claim 8. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 9.

Claim 10 includes limitations similar to Claim 1 and so the above remarks with respect to Claim 1 are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 10.

Claim 13 includes selecting one data format from at least two data formats supported by a process. Thus, the above comments with respect to Claim 3 are also applicable to Claim 13 and are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 13.

Claims 15 to 17 depend from Claim 13 and so distinguish over Bayeh for at least the same reasons as Claim 13.

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Applicants request reconsideration and withdrawal of the anticipation rejection of each of Claims 15 to 17.

Claim 18 includes limitations similar to Claim 8 and so the above remarks with respect to Claim 8 are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 18.

Claim 19 depends from Claim 18 and so distinguishes over Bayeh for at least the same reasons as Claim 18. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 19.

With respect to the anticipation rejection of Claim 20, Bayeh fails to suggest or teach the novel filter server with the elements recited in Claim 20. The Examiner explicitly stated "The remainder of the components of the structure have no function claimed, and therefore are considered non-functional descriptive data." No citation to the MPEP was provided for ignoring explicit claim limitations. Therefore, the rejection itself demonstrates that the rejection is not well founded. The filter server is defined by the elements recited. To anticipate, Bayeh must teach these elements at least to the same level recited in the claim. The reject fails to assert that Bayeh does this. Accordingly, Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 20.

Claim 21 includes limitations similar to Claim 3 and so the above remarks with respect to Claim 3 are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 21.

Claim 24 stands rejected as anticipated. The Examiner stated:

> Bayeh teaches receiving a request for data (co. 4, ll. 23-29). Bayeh teaches supporting different formats and selecting the second format (col. 8, ll. 55-57). Bayeh teaches generating a filter by combining a first filter with a second filter (col. 9, ll. 30-45). Bayeh teaches

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these formats must be compared first (col. 9, line 64-col. 10, line 15). Bayeh teaches the filter converts source data from a first format to a second data format (col. 4, ll. 37-42).

Applicants respectfully traverse the anticipation rejection of Claim 24. Bayeh, Col. 9, lines 64 to Col. 10, line 15 is not describing comparing data formats but rather a way to chain servlets. Specifically, Bayeh first taught:

> When a servlet chain is to be used for processing a client request, there are two ways currently known in the art to trigger the chained processing: (1) "servlet aliasing" or (2) Mime types.

Bayeh, Col. 9, lines 39 to 42.

Bayeh, Col. 9, lines 64 to Col. 10, line 15 described "Mime types" and how this chaining is accomplished. There is no description of comparing data formats, but rather selecting servlets so that the output of one servlet is in a format that can be input to next servlet. Thus, Bayeh fails to show the identical invention **in as complete detail** as is contained in the claim. Applicants respectfully request consideration and withdrawal of the anticipation rejection of Claim 24.

Claims 7, 17, 22 and 23 stand rejected under 35 U.S.C. §103·(a) as being unpatentable over Bayeh in view of Garshol, "Free XML Software," (12/15/1999).

Assuming arguendo the combination of references is correct and the Examiner's interpretation of the secondary reference is correct, the additional information cited by the Examiner fails to overcome the basic deficiencies of Bayeh as noted above for the claims upon which each of Claims 7, 17, 22 and 23 depend. Therefore, Applicants request reconsideration and withdrawal of the obviousness rejection of each of Claims 7, 17, 22 and 23.
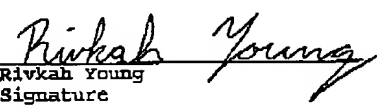
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Claims 1, 3, 5, 7 to 10, 13, and 15 to 24 remain in the application. Claims 1, 3, 10 and 21 have been amended. Claims 2, 4, 6, 11, 12, and 14 were canceled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF TRANSMISSION
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